

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

ANDREW W. MILLER,

Plaintiff,

v.

Civil Action No. 2:21-00240

COMMISSIONER OF W.V.D.O.C.;  
WEST VIRGINIA PAROLE BOARD;  
BENITA MURPHY; EDWARD WOOTEN;  
RALPH MILLER; TED WHITE;  
CEDRIC ROBERTSON; KIM BLAIR;  
JOHN SINES; BRIAN REED; and  
ROSHANNA GRAY, Parole Officer,

Defendants.

ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Dwane L. Tinsley, entered on February 28, 2022 (ECF No. 10); and the magistrate judge having recommended that the court deny Miller's Application to Proceed without Prepayment of Fees and Costs (ECF No. 1) and dismiss this civil action without prejudice; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that the findings made in the Proposed Findings and Recommendation of the magistrate judge (ECF No. 10) be, and they hereby are, adopted by the court and incorporated herein.

Accordingly, it is further ORDERED that:

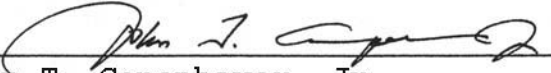
1. Andrew Miller's Application to Proceed Without Prepayment of Fees or Costs (ECF No. 1) be, and it hereby is, denied.

2. This civil action be, and hereby it is, dismissed without prejudice.

3. The Clerk is directed to remove this action from the court's docket.

The Clerk is directed to forward copies of this memorandum opinion and order to all counsel of record, any unrepresented party, and United States Magistrate Judge Tinsley.

ENTER: May 11, 2022

  
John T. Copenhaver, Jr.  
Senior United States District Judge